

ESTABLISHED 1861

CLARKSBURG, W. VA., WEDNESDAY, OCTOBER 18, 1911.

PRICE TWO CENTS

SUPREME COURT ORDERS TETRICK TO KEEP THE COUNTY RECORDS

Tax Commissioner Charges County Clerk Here with Failure to Keep

RECORDS OF COUNTY

And Its Books So As to Show the Fiscal Affairs of the Same.

CHARLESTON, W. Va., Oct. 18.—Returnable October 31 the supreme court of appeals of West Virginia today awarded an alternative writ of mandamus directing W. Guy Tetrick, clerk of the county court of Harrison county, to show cause why he refuses to keep the system of records prescribed by the state accounting department. The writ was awarded upon the petition of Tax Commissioner Fred O. Blue, ex-officio chief inspector and supervisor of public offices.

The petition sets up that the tax commissioner has, in accordance with the law, prescribed a uniform system of records for sheriffs and county clerks and that the same has been approved by the board of public works; that printed instructions as to the use of such records have been furnished the clerks and sheriffs who were directed to keep such records; that on the twenty-seventh day of May, 1910, the defendant was ordered by letter to keep said records beginning July 1, 1910; and that notwithstanding the law, "The defendant has not complied with the formulated prescribed system of accounting and has not and is not now keeping and following the same as required, but so to do has failed and neglected."

The petition points out the importance of keeping the system of records and charges that Tetrick was slow to procure the necessary books and did so only after repeated requests by the tax commissioner, that he has not fully and faithfully kept the records and is not now doing so, that only a few entries are being made to records which are therefore incomplete and do not show true and full accounts and detailed statements of all public funds charged, collected, received, expended and accounted for during any of the period since July 1, 1910, and "that by reason of his failure and default said books do not show the condition of the fiscal affairs of the county of Harrison."

Tetrick is ordered by writ either to keep the records or appear before the court October 31 and show cause why he has failed to do so. A similar writ was awarded and directed against Sheriff Smith, of Kanawha county.

"BAT" NELSON DEFEATED.

BOSTON, Mass., Oct. 18.—"Batting" Nelson, the former lightweight champion, had his combat progress severely jolted last night at the Armory Athletic Association by Pat Moore, of Philadelphia.

BEALL SAYS NOT YET.

WELLSBURG, Oct. 18.—Colonel W. Wyllie Beall will not admit that he is a candidate for the Democratic nomination for governor of West Virginia. His friends smile complacently and continue asserting that Beall will be nominated.

COUNTRY FAILING TO PUNISH CRIME

On Account of Technical Law Points One Speaker Declares.

OMAHA, Neb., Oct. 18.—Quoting President Taft as saying that "The administration of criminal law in this country is a disgrace to civilization," Judge C. A. DeCourcy, of Lawrence, Mass., justice of the superior court of Massachusetts, before the American Prison Association pointed out that the United States was conspicuous for the great number of unpunished murderers.

"The defense of insanity, the limitation of the power of judges and the character of testimony allowed to be introduced in behalf of the defendant, were some of the evils which, he said, ought to be rectified.

"The number of homicides in this

PUNISHMENT STILL TO PREVENT CRIME

SHOOTS BROTHER

Sensational Affair Occurs in Roane County Oil Fields—Couple Missing.

SPENOER, Oct. 18.—A sensational affair in the Roane county oil fields, involving the shooting of one brother by another and the supposed elopement of the assailant with his victim's wife, has thrilled the section. The man who was shot is John P. Harper, an employee of the United Fuel Gas Company, and he was shot by J. A. Harper. Immediately after the shooting Mrs. John P. Harper disappeared with J. A. Harper and though a search has been in progress for the pair they cannot be found. John P. Harper is in a serious condition.

OPINION

Of Veniremen on Labor Unions and Manner of Explosion Dwelt Upon.

LOS ANGELES, Oct. 18.—Although the defense in the McNamara case at the opening of court today had tentatively accepted six talesmen, the prospects for a completion of the jury within a month were not considered bright. The opinion of veniremen on labor unions and whether the explosion at the Times building was caused by a dynamite explosion are two important points urged by the defense now.

WHITE SLAVER

Keystone Woman Faces Federal Court on Serious Criminal Charge.

BLUEFIELD, Oct. 18.—Ada Nicholas, of Keystone, is on trial here in federal court charged with white slavery. It is said the evidence is such that an indictment will be brought against her. She is charged with enticing a sixteen-year-old girl of good parents away from home and keeping her in a resort against her will.

ACCEPTS CALL.

HUNTINGTON, W. Va., Oct. 18.—The Rev. John S. Douglass, for twelve years rector of the Episcopal church at Martinsburg, has accepted a call to the Trinity Episcopal church here.

KILLED BY TRAIN.

FAIRMONT, Oct. 18.—The mangled body of Richard Brand, aged 40, of Morgantown, was found on the Baltimore & Ohio railroad track at Johnstown, near here. He was a brick mason and had been in Fairmont visiting relatives.

Is Necessary Declares Wick-ersham before the Prison Congress.

OMAHA, Neb., Oct. 18.—In the battle of economic forces of supremacy, the law must be obeyed, even though it seems to favor one class as against another. This view was expressed by Attorney General Wickersham in a speech before the American Prison Association here.

Punishment in some form, declared the attorney general, is still necessary to prevent crime. "This is especially the case," he added, "in a community and at a time, when diverse economic forces are struggling with each other for the mastery in the state, and where laws are enacted through the influence of one class or classes to control the action of another class or classes who are unwilling to accept them as rules of action—because unconvinced of the wisdom or justice of the legislative policy which they embody. Yet consideration of the nature of social organization will demonstrate the absolute necessity of all classes of society conforming to requirements prescribed by the duly constituted authorities—however wise or unwise those regulations may appear to those whose conduct is sought to be controlled by them. But within its constitutional scope, the acts of the legislature stand until repealed as the mandate of organized society, and the continued effectiveness of organized society requires that obedience to such laws be compelled.

The attorney general lengthily discussed the broad question of punishment for crime and the administration of the federal parole law.

Modern penal legislation, he said, is based on a recognition of the expediency of endeavoring to reform the criminal, and so great a stress has been laid on that feature in dealing with criminals, that "we sometimes forget that in order that punishment may act as a deterrent upon others it must appear as a badge of disgrace, and not simply the bestowal of benevolence."

Mr. Wickersham favored the extension of the parole law to include life prisoners. He regarded it as an incongruity that prisoners sentenced to long terms for vicious crimes should be eligible for parole, when the man convicted of second degree murder must remain in prison for life.

If the law making power, continued Mr. Wickersham, considers ref-

(Continued on Page Six)

NO STRIKE

Of Telegraphers of the Baltimore and Ohio to Be Called.

Word has been received in this city that a conference has been held between President Willard, of the Baltimore & Ohio, and E. N. Van Atta, representing the order of railway telegraphers, and that a settlement of differences will probably be reached today. This will be good news to the local men of the order, as there was some uneasiness felt at the possibility of a strike. However, there is now but little danger of such action being taken. President Willard seems to be willing to meet the grievance committee half way and this being the case the concessions demanded by the telegraphers will be reached amicably.

MR. TAFT

Will Be at Morgantown for the Hodges Inauguration after All.

LOS VEGAS, Mex., Oct. 18.—It was announced here today that President Taft will extend his tour after leaving Pittsburg, October 31, to Morgantown, W. Va., where he will spend one day. His train had a narrow escape from a wreck last night, when a tire on the engine slipped.

J. L. Henry is here from Buckhannon.

AGED WOMAN

Dies of Complication of Diseases after Long Illness—Funeral Thursday.

Mrs. Ella J. Walker, aged 77 years, wife of William Walker, deceased, died at the home of George Walker, near Jane Lew, at 8 o'clock Wednesday morning of a complication of diseases incident to old age.

Mrs. Walker was a member of one of the first families of settlers in Harrison county, and had lived in this county all her life. She was well known and loved by all her neighbors and although a very old lady she had many friends among the younger people.

The deceased woman is survived by a brother, Jackson Davison, of Marshville, and three sons and one daughter. The sons are Charles W. Walker, of Jarvisville; J. B. Walker, of southern California; and P. J. Walker, of Clarksburg; and the daughter is Mrs. Mary J. Butcher, of Weston.

Funeral services will be held Thursday afternoon at the home of George Walker, and burial will be in the family burying ground.

FORMER PASTOR

Of the First Methodist Church Here Makes a Fine Impression.

The Rev. James E. Bird, former pastor of the Methodist Episcopal church, is making a fine impression at Charleston, his new home, as shown by the following taken from the Charleston Mail:

The Rev. James E. Bird, the new pastor of the First Methodist Episcopal church, will move his family to this city from Clarksburg, Friday of this week. He is now devoting most of his time to house-hunting, expecting to find a suitable residence in which he and his family will reside until the proposed new parsonage is erected near the church edifice. Mr. Bird has already won a host of friends and admirers here. He is comparatively young and looks the type of man who has plenty of energy to expend in any undertaking and the inclination to exert himself for the cause he represents. He has a sharp, clear eye, an independent mind and the general make-up of a man who makes friends and keeps them. It is a sure thing he will make good.

OBSEQUIES

Of Mrs. Lillie M. Cullimore Pew Held Wednesday Afternoon.

Funeral services over the body of Mrs. Lillie M. Cullimore Pew, who died Monday morning at her home on the corner of Chestnut and Locust streets, were held Wednesday afternoon at 2 o'clock at the home, the Rev. Lewis E. Peters leading the services. A large number of friends attended the services at the home, but the burial in Elkview cemetery was private, only the family and immediate friends being present.

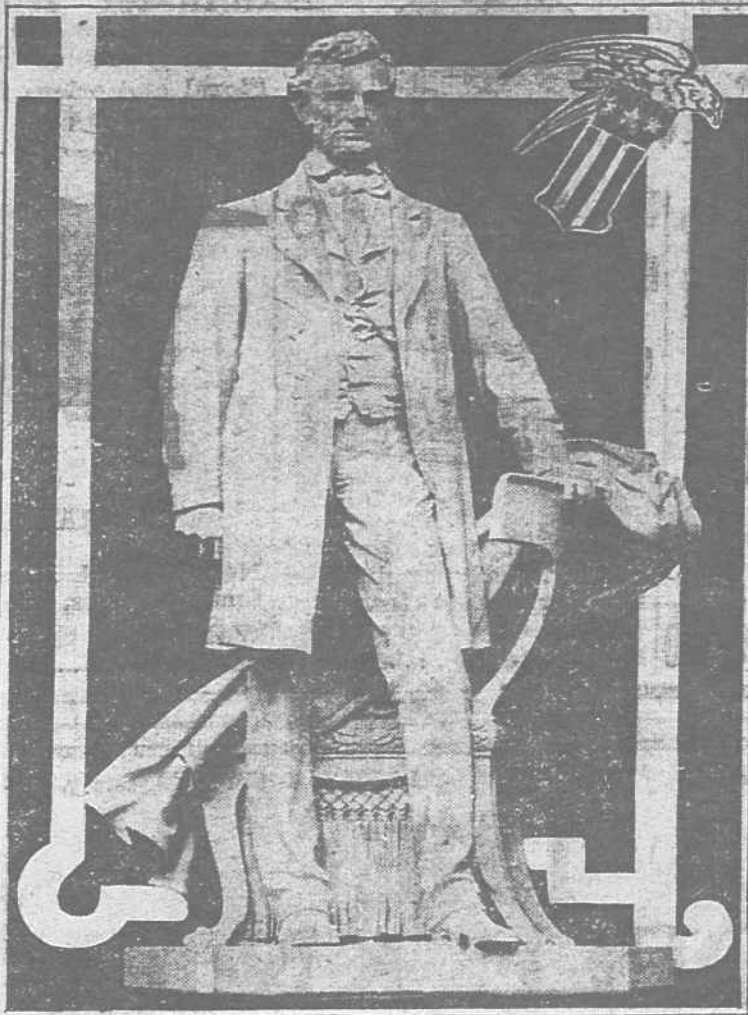
THEFT OF APPLES

From Freight Car Gets a Boy Ten Day Sentence in Jail.

John McCay, a boy about 18 years old, was sentenced to serve ten days in the county jail Wednesday by Justice W. Perry Camp for stealing apples from a freight car in the Baltimore and Ohio railroad yards in Glen Elk. The lad was arrested by a member of the railroad detective force, who caught him in the act of taking the apples. One apple was found in the boy's pocket when he was arrested. Justice Camp imposed a fine of \$5 and costs but McCay was unable to pay it and the sentence of ten days was given in default.

CHINESE BATTLE ON

Gigantic Statue of Lincoln to Be Presented to Native State



KENTUCKY, the state that cradled Abraham Lincoln, is soon to have a statue of the great emancipator unveiled in the rotunda of the capitol at Frankfort. The statue, designed by Adolph Alexander Weinman, has recently been cast in New York. The statue is the gift of John Breckinridge Speed, whose father was a personal friend and ardent supporter of Lincoln and was made victorious general by Lincoln in 1864. The statue is more than nine feet high. It shows Lincoln as he appeared in the later years of his life, a tall, commanding figure, with his face eloquent of the stress of the stormy period through which he had piloted the nation.

GREAT FUTURE IS SIGHTED BY DAVIS

For the Western Maryland Railroad as Well as His Own.

BLATIMORE, Oct. 18.—Ex-Senator Henry G. Davis, of Elkins, W. Va., and president of the Coal and Coke railroad, is one of the country's well known railway magnates who look for big things for the Western Maryland Railway Company, as the result of its traffic agreement, which it has entered into with the New York Central Railroad.

The former senator from West Virginia has been spending several days in Baltimore and when seen he consented to discuss Western Maryland affairs. He was particularly enthusiastic in his praise of President Alexander Robinson, and the work which he is doing in carrying out the progressive policies of the road and predicted that a large traffic would be diverted to this port by reason of the step which the Western Maryland had taken in linking up with one of the big railroad systems of the country.

"The alliance of the Western Maryland with the New York Central," said Ex-Senator Davis, "is going to mean much to the Western Maryland and the city of Baltimore. Under the agreement as entered into the New York Central gains a new seaport outlet, and the Western Maryland enters Pittsburg and will have the opportunity to tap, through the New York Central connections, the great Northwestern territory of the United States. A large tonnage originates in this territory, and the Western Maryland is going to share in the business which is destined for the Atlantic seaboard. I look for a big increase in the business."

"The Western Maryland is in good shape and President Robertson has been successful in carrying out the progressive policies of the road. The road gained the confidence of the people and I do not hesitate to predict big things for it."

"Anything that benefits the Western Maryland," add ex-Senator Da-

Imperial Troops Are Driven Back but Rebels Exhaust Supplies.

CONDITION IS GRAVE

One Side Wants More Troops and the other Gets Supplies.

HANKOW, Oct. 18.—A general engagement between rebels and imperial troops was precipitated on the water front early today, when Admiral Su Chen Ping attempted to land a large body of troops for the reinforcement of General Chang Pao, who is entrenched with several hundred men of the provincial army near the foreign concessions. By the middle of the forenoon it was estimated that 2,000 soldiers and 10,000 revolutionists were engaged in battle and all the foreign warships sent here were landing parties ashore to protect foreign interests.

The battle was indecisive. The imperial troops were driven back, but the rebels exhausted their ammunition and were compelled to retreat to Wu Chang. Vice Admiral Sir Alfred L. Winslow, commanded the leading parties from foreign warships and the Red Cross neutral camp received the rebels wounded.

The imperial troops are now awaiting reinforcements, while the revolutionists are replenishing their supplies.

The rebels attacked with a dash and it is their purpose to force the fighting.

Two foreign correspondents were caught between the batteries on shore and the gunboats and narrowly escaped being killed.

The general situation has not been changed by the battle and it continues grave.

BANK CLOSES

Decision of Court against Institution Forces It into Receiver's Hands.

PARKERSBURG, Oct. 17.—A decision rendered recently in United States circuit court against the Ritchie county bank of Harrisville, is the cause, it is said of the bank's going into the hands of a receiver. The bank's liabilities are said to be \$60,000 and assets about \$22,000. It is stated depositors will be paid in full, but the stockholders will recover only about forty-two per cent. L. R. Snodgrass was appointed receiver. E. M. Carver was cashier of the bank, which is the oldest in Ritchie county.

SHOOTS

Bad Negro Starts Fight in Bluefield Saloon—Shots Go Wild.

BLUEFIELD, W. Va., Oct. 18.—Robert Hawkins, colored, pulled a gun in the saloon of Louis Lebar-witch yesterday afternoon and commenced shooting at Harry Graff, the bartender. The trouble arose over Graff's ordering the negro to leave the saloon. Another negro knocked Hawkins's gun up and prevented any of the shots from taking effect.

Douglas Corley, of Weston, is here on a business visit.

SOAKED GROUNDS PREVENT PLAYING

And the Fourth Game of the Series is Called Off.

PHILADELPHIA, Oct. 18.—The National Commission today at 11:40 o'clock officially declared the baseball game postponed until tomorrow. It will be played here if weather permits. The grounds are soaked by a heavy rain.

Prospects of play today dwindled as the day grew older. The Athletics appeared at the park, expressing disappointment. Baker and Coombs were heartily greeted by the few fans present, the former wearing a bandage on his injured arm, spiked by Snodgrass yesterday when he threw himself first at third. The Giants came over last night,

but remained in their hotel during the morning.

READY

To Build Extension Is One Trolley Company. If Another Will.

FAIRMONT, Oct. 18.—Announcement is made at the offices of the Fairmont and Clarksburg Traction Company that its trolley system will be extended through the First ward to the Marion county line for a connection with the system of the South Morgantown Traction Company whenever that corporation is ready to build to the Monongalia county line.

Miss Mabel Lent, of Grafton, is spending a few days in the city with friends.